

CSINIB02/CINIB02
AITE/TM00104

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
IN-FORMA-PAUPERIS DATA

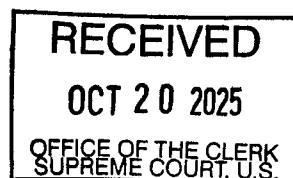
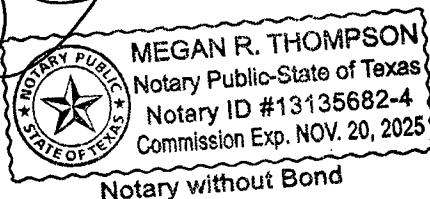
10/06/25

10:32:07

TDCJ#: 02399291 SID#: 01968225 LOCATION: MCCONNELL INDIGENT DTE:
NAME: DIEZ, JAMES LOGAN BEGINNING PERIOD: 04/01/25
PREVIOUS TDCJ NUMBERS: 00342162

CURRENT BAL:	623.19	TOT HOLD AMT:	0.00	3MTH TOT DEP:	900.00
6MTH DEP:	1,500.00	6MTH AVG BAL:	219.64	6MTH AVG DEP:	250.00
MONTH HIGHEST BALANCE TOTAL DEPOSITS		MONTH HIGHEST BALANCE TOTAL DEPOSITS			
09/25	32.11	500.00	06/25	155.06	200.00
08/25	0.69	200.00	05/25	92.86	200.00
07/25	155.16	200.00	04/25	262.44	200.00

STATE OF TEXAS COUNTY OF *Bee*
ON THIS THE 6 DAY OF *October 2005*, I CERTIFY THAT THIS DOCUMENT IS A TRUE,
COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE
COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG:
PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: _____ OR SID NUMBER: _____



in re.: James Logan Diez v. State of Texas

Ref. PETITION FOR CERTIORARI

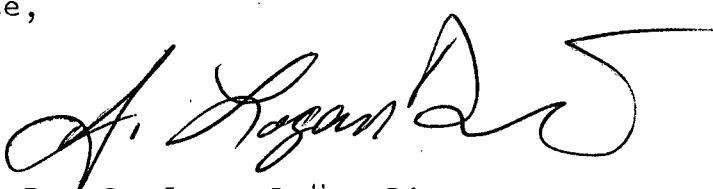
Dear Clerk;

The enclosed Financial Statement from the TDCJ Inmate Trust Fund was inadvertently left out of the mailing when my Petition was sent last week.

Thank You & my apologies for the oversight.

NOTE: I was ran down by a Dodge 1500 RAM on Aug. 16, 2021 while walking across an intersection. I've been having minor problems with memory and sequencing issues since,

October 6, 2025


Pro Se: James Logan Diez
2399291 McConnell
3001 S. Emily Dr.
BEEVILLE, TX 78102

25-5969
No. _____

RECEIVED
U.S. SUPREME COURT
JUN 23 2025

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
JUN 23 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

James Logan Diez — PETITIONER
(Your Name)

vs.

State of Texas — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

TEXAS Third District Appellate Court/COURT OF CRIMINAL APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

James LOGAN Diez, TDCJ#2399291
(Your Name)

McConnell Unit TDCJ
3001 S. Emily Dr., Beeville, TX 78102

(Address)

BEEFVILLE, TX 78102
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

- 1] Did the Texas Court of Criminal Appeals abuse its discretion when it refused Review after Petitioner discovered approx. 20-25 min. of Cross-Examination testimony, from the State's ONLY Witness on guilt/innocence, had been Edited/Omitted from the Appellate Official Transcript; and, the edited/omitted testimony contained explicit statements which proved ACTUAL INNOCENCE as a matter of Fact and Law?
- 2] In light and consideration of 40 years of Stare Decisis and the increasingly chaotic body of Case Law developed therein; is the term "lewd exhibition" in child pornography statutes proven to be absolutely unworkable under the principles set forth by the Court in Johnson v. United States, 576 U.S. 591, 605-06(2015)?
- 3] Did the Trial Judge abuse his discretion when he refused the Petitioner compulsory attendance of subpoenaed Witnesses SOLELY on the Judge's assertion:
"I'm not going to make anyone come to my Courtroom who does not want to be here;"
in violation of Petitioner's Constitutional Right to such in Due Process?
- 4] When a term is codified as an element of a criminal offense, and that term has meaning solely and exclusively based on and rooted in a religious mythology unique to ONE Religion's edict; does it violate 'Separation of Church and State' when said term is applied subjectively to a Citizen NOT ADHEREING TO the Religion from which the term comes and attains its meaning?
- 5] Does applying an ad hoc, case-by-case determination rule, in which Fact Finders are permitted to exercise exclusively their own personal perspectives, to determine what constitutes an Element of the charged offense, with absolutely no guidance nor limitation from either the Trial Court or Legislature, constitute a violation of the "Fair Notice" Doctrine and/or the Rule set forth by this Court in Connally v. General Const. Co., 269 U.S. 385, 393(1926), and cited in Johnson, supra?
- 6] When a Pro Se Appellant proceeding in forma pauperis discovers and alleges there are substantive omissions in the Trial Transcript which contained evidentiary testimony that proves ACTUAL INNOCENCE; does it violate the Appellant's DUE PROCESS on appeal to NOT order an investigative review of the ORIGINAL audio recording of the Trial testimony in question?
- 7] Where the factual determination of what is/isn't "lewd" can literally be made based SOLELY AND EXCLUSIVELY on the Fact Finders' RELIGIOUS/CULTURAL indoctrination/programming from Birth onward (i.e. perspective inherently ingrained in their Societal biases); does it violate the U.S. Constitution's First (separation of church and state), and Fourteenth Amendments (equal protection, privileges and rights under the laws) to permit individual Citizens to be tried by a Jury of

QUESTION(S) PRESENTED - CONTINUED

7. cont.] exclusively made up of a Culture/Religion with a history KNOWN to be hostile toward the Culture/Religion from which the Defendant originates, when the central Element of the charged offense's MEANING is malleable and differs dramatically between the two opposite Cultures/Religions?

Restated: when the key Element of a criminal offense is such that it's MEANING is variable and depends on HOW a fact finder PERCEIVES it base on their INHERENT BIASES borne of lifelong Cultural/ Religious indoctrinations; Does allowing a Citizen from Sociocultural & Religious life 'A' to be judged EXCLUSIVELY by Jurors from Sociocultural & Religious Life 'B' (which is known to be hostile to adherents of 'A') constitute a "fundamentally unfair" Trial such as would racial exclusion/exclusivity under the "BATSON RULE" [Batson v. Kentucky, 476 U.S. 79, 85(1986)]?

8] Is the language in a Penal Statute fundamentally unconstitutionally vague if/when:

- i) its meaning is malleable dependant upon the Religious, Cultural, Societal and other indoctrinated (inherent) biases of the Fact Finders;
- ii) the Courts at every level have TOTALLY FAILED for over 40 years to establish a consistently applicable, objective, and clear standard by which Citizens may determine in advance what is/isn't lawful;
- iii) NO legislative body has provided any objective nor consistently applicable standard/guidelines to allow Citizens, Policemen, Prosecutors, Judges or Jurors to distinguish between the lawful and unlawful uniformly;
- iv) the body of Case Law between 1982- 2025 that has been developed on the statute is chaotically divided, and provides NOTHING by which Citizens or even Legal Experts would even have a clue as to how to distinguish what is/isn't legal; and,
- v) the language of the statute itself permits VASTLY differing outcomes between Jurisdictions EVEN when the evidence is identical;

Would such statutory language be unconstitutionally vague, as well as ambiguous and overbroad?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

??? [] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

NOTE: A central aspect of this Petition for Certiorari involves the constitutionality of the "lewd exhibition clause" in Child Pornography statutes in its application. In that the "lewd exhibition clause" of the Texas Penal Code is worded almost identically/exactly identical to Both the Federal statutory language AND ALL OTHER STATES/TERRITORIES; then the U.S. Attorney General and the Attorney Generals of all the States/Territories will be "interested" in the Courts decision on this case.

RELATED CASES

Petitioner is unaware of &/or does not know the legal meaning of "RELATED CASES". [i.e. in what context is the word "related" used in?]. Also, Petitioner believes that most if not all of his questions will more or less be such that the Court will be addressing the legal points for the first time(?)

See also:

Diez v. State, 2022 Tex.App. LEXIS 2809

Diez v. State, 2024 Tex.Crim.App. Unpub. LEXIS 387

Diez v. State, 2023 Tex. App. LEXIS 1739

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4-6
REASONS FOR GRANTING THE WRIT	7-8
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A --State Dist. Appellate Court Opinion ...19 pages
front and back.

APPENDIX B -- EMPTY ... Petitioner does not have Trial Court's
written opinion/judgment.

APPENDIX C -- see App'x D below.

APPENDIX D & C -- CLERK's (postcard) Notice of filing Petition
for Discretionary Review; and,
LEXIS citations for Ct. Crim. App. disposition.

APPENDIX E -- No lower Federal Court action has been taken in
Federal Courts.

APPENDIX F-- N/A

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Johnson v..United States, 576 U.S. 591(2015)	viii
Connally v. General Const. Co., 269 U.S. 385(1926)	viii
Baston v. Kentucky, 476 U.S. 79(1986)	xi
New York v. Ferber, 458 U.S. 747(1982)	3
Osborne v. Ohio, 495 U.S. 103(1990)	3
Mayer v. Chicago, 404 U.S. 189(1971)	7
 U. S. CONSTITUTION, 1st, 5th, 6th and 14th Amendments	3
 STATUTES AND RULES	
Texas Penal Code,§43.26	5
Texas Constitution, Art.1,§10.....	3

OTHER PLEASE, NOTE: Petitioner has been UNABLE to find any Case Law/Rules applicable to most of the Questions herein asked, because the issues have yet to be addressed with an degree specificity by this Court; and, everything Petitioner has found from the lower Courts is little more than a chaotic morass of ambiguous and confusing rhetoric. ALSO, a few issues herein presented are such that they can only be properly resolved by THIS COURT ALONE.

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[] For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

☒ For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix C to the petition and is

[] reported at In re Diez, 2025 Tex. Crim. App. LEXIS 186
[] has been designated for publication but is not yet reported; or,
☒ is unpublished. REVIEW REFUSED

The opinion of the Texas 3rd Dist. Appellate court appears at Appendix A to the petition and is

☒ reported at Diez v. State, 693 S.W.3d 899(2024); or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

[] No petition for rehearing was timely filed in my case.

[] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. __A_____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[X] For cases from **state courts**:

The date on which the highest state court decided my case was 03/12/2025. A copy of that decision appears at Appendix C.

[X] A timely petition for rehearing was thereafter denied on the following date: 04/23/2025, and a copy of the order denying rehearing appears at Appendix C.

[] An extension of time to file the petition for a writ of certiorari was granted to and including 09/04/2025 (date) on 07/07/2025 (date) in Application No. __A_____. [see Notice from Clerk App'x C]

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- 1] U.S. CONSTITUTION, FIRST AMENDMENT: violation of Free Exercise Clause through religiously persecutory prosecution.
- 2] U.S. CONSTITUTION, FIRST AMENDMENT; violation of Separation of Church and State by codification and enforcement of Ecclesiastical Dogma/Doctrine unique to one religion's mythos, supplemented by Puritan Era Code, to impose criminal sanctions upon those of other religious orders that do not conform to/with the dominate religious majority's views.
- 3] U.S. CONSTITUTION, FIFTH & SIXTH AMENDMENTS: violation of the DUE PROCESS provisions in numerous egregious actions by the Trial Court Judge; the Court Reporter (in collusion with the Prosecutor) to insure Petitioner was convicted and NOT given Justice on direct appeal; and, appellate Courts of Texas not giving due and proper consideration to Stare Decisis proof of unconstitutional vagueness and overbreadth on the statutory language at issue.
NOTE: There is, also, some concern as to whether this Petitioner had the mental clarity to proceed to Trial Pro Se on May 16-17, 2022? However, the Petitioner herein hasn't presented the issue due to the fact it is an uncertainty ...?
- 4] U.S. CONSTITUTION, FOURTEENTH AMENDMENT: Equal Protection and Privileges under the Law due to violation of Petitioner's Right to have the Religious freedom to exercise his Faith equally as do the Christian Majority; and, to be free from Religious and Cultural persecution by criminal prosecution when he committed no crime, but merely practice his Religious and Cultural Norms.
- 5] 'Common Law' violation due to the Trial Court, Prosecutor, and Appellate Courts of Texas NOT adhering to/following Supreme Court 'Rules of Law/Evidence' which have been well settled for over 40 years since Osborne v. Ohio, 495 U.S. 103 (1990) and New York v. Ferber, 458 U.S. 747 (1982) (holding that "mere nudity" does not constitute a "lewd exhibition").
- 6] TEXAS CONSTITUTION, Article 1§10: was denied his right to have compulsory attendance of witnesses who had been duly subpoenaed and failed to appear, when the Trial Judge refused to compel without valid and legitimate legal reason.

STATEMENT OF THE CASE

NOTE: Petitioner begins the Statement with the relevant/necessary historic facts required to the Court's full understanding and disposition of the issues.

1. Petitioner was born into the 'Naturist' Culture/Family [Naturism is the cultural practice of living Life as "Adam & Eve" did in the mythical "Eden" before their downfall and corruption of the perspective of nakedness by its sexualization and sexualizing of PARTS thereof]. The culture of Naturism adheres to the ancient lifestyle (to the greatest extent possible) of The Ancestors as they lived PRIOR TO the conquest of the "Catholic/Protestant" invaders who FORCED clothing upon all who lived naturally.
2. Petitioner was ordained as a CREATIONIST NATURISM Disciple of Light, Order of Delphi, Minister on June 15, 1974; and, as an Associate Minister of the UNIVERSAL LIFE CHURCH in October 1987. [While there are secular records of the ULC ordination; no such records exist of the C-N'ist ordination, due to the C-N'ists doctrinal practice of having TOTAL SEPARATION of Church and State having been ordained by THE MOST HIGH.]
3. On or about August 2016, Petitioner created a "Board" on the Pintrest.com website titled "MAIDEN EARTH GODDESSES" which was identified ON THE BOARD that it was "to give honor, adoration, respect and reverence to EWIG WEIBLICHE, Heavenly Mother and The Eternal Feminine Goddess Spirit." The Board contained images of Females of all ages, races, etc. (clothed; partially clothed; and nude) from actual photographs of real females, to paintings and photos of sculptures. ONE of the images was of the 8 year old Daughter of a Family who belong to the C-N'ist Congregation. The Child was simply standing on the beach of a lagoon, arms at her side, smiling at her Mother (who took the photo) in the nude as Naturists generally are. [The image was strikingly similar to images of Amazonian River children regularly seen in NATIONAL GEOGRAPHIC MAGAZINE.] This image was "reported" to Pintrest.com as "Child Pornography".
4. Pintrest.com forwarded the Report to the Texas Attorney General as required by Federal Law; HOWEVER Pintrest did not identify the image as 'child pornography' in its report — it was identified by Pintrest only as "minor child (unclothed)".

*** Pintrest has several labels they grade images under:
e.g. child pornography; child erotica; minor child (unclothed); etc.

5. Sgt. Thomas Peterson, of the Texas State Attorney General's Child Exploitation Investigations Division, obtained a Search Warrant from the 33rd Judicial District Court for Petitioner's home even though he never verified the legitimacy of the alleged Pintrest report (i.e. Sgt. Thomas never confirmed the report was NOT produced by some malicious hacker). The Judge issuing the Search Warrant "rubber stamped" the warrant differing to Sgt. Peterson's mischaracterization of the image as a "lewd exhibition of the female breast below the top of the areola" even though the child was "merely nude" standing perfectly normally.

6. During a (very) early morning Nazi Gestapo-style destructive raid on Petitioner's Home, Sgt. Peterson and his Squad seized Petitioner's cellphone from which (the Google Photos App) the State's "electronic forensics expert" extracted approximately 200-250 NATURIST images of nude men, women and children from toddlers to a 97 year old Matron; and, from these images, took several of the images of Females between ages 5-19 years ... 2 of these images the "expert" mislabelled as "Child Pornography (containing a 'lewd exhibition' of the genitals and/or breast below the top of the areola')", and the rest of the images he labeled "child erotica" [even though he later admitted there was nothing sexual/sexually suggestive about them].
7. Petitioner was Indicted by a Grand Jury in December 2018 under Tex. Penal Code, §43.26 [possession of Child Pornography, lewd exhibition of the genitals/breasts below the top of the areola] and an Arraignment Hearing was scheduled for January 2019; however, Petitioner was never notified of the Arraignment Hearing, hence, made no appearance. Arrest Warrant was issued and Petitioner was arrested at one of his Job sites on February 19, 2019; jailed under two \$20,000 bonds; and, remained in Pre-Trial confinement until June 28, 2021, when he was able to make Bail using his COVID stimulus.
8. Hearing was scheduled for August 16, 2021, however, while walking across a crosswalk the morning of Aug. 16 to get breakfast, Petitioner was ran down by a Dodge 1500 RAM pickup which came out of a Circle K parking lot at approximately 30-32mph. The Petitioner was in the ICU Trauma Ward for 5 days; transferred to an ICU Nursing Center/Rehab until September 5, 2021; then released to Home Nursing Care until April 2022. [NOTE: the Doctor released Petitioner to "normal physical activities" on April 15, 2022; however, there had NOT been any Neurological Exam/Release to insure the cerebral trauma experienced when the Petitioner's head impacted the pickup's hood had not effected cognitive functions?]
9. Trial in the 424th Judicial District Court was scheduled for May 21-22, 2022, and held (over Petitioner's objections and request for additional time to prepare; Petitioner had been UNABLE to secure electronic forensics expert to examine some suspect evidence; and, he had just days earlier been informed that his beloved Step-Daughter <Haley Renee Turner> had been abducted, brutally raped and beaten for days, and then drowned in a bathtub full of wastewater during his period of recovery).
10. Petitioner was found guilty by a Jury and sentenced to two 30 year sentences; which the trial Judge "stacked" consecutively to create a 60 year sentence in Prison. Petitioner gave Notice of Appeal and also filed timely motion for new trial. The Motion for new Trial was ignored.
11. Because Petitioner had appeared Pro Se during his Trial; the Trial Court appointed Appellate Counsel to handle the Appeal, having found Petitioner 'Indigent' and unable to effectively prosecute appeal pro se from prison.
12. Texas THIRD DISTRICT COURT OF APPEALS, in Case No. 03-22-0037-CR AFFIRMED the Judgement on June 28, 2024; opinion published.

Petitioner was notified of the Affirmation by Appellate Counsel on July 7, 2024; and granted and extention of time to file a Pro Se Petition for Discretionary Review to/by the Texas Court of Criminal Appeals.

*** Because Petitioner had NOT been Pro Se on Appeal, he had NOT seen/read the Official Trial Transcript prior to receiving a copy of same in July 2024; hence, he had no way to know the Appellate Court and Appellate Counsel had been given an egregiously altered/edited Transcript until he read in July '24.

13. Pro Se Petition for Discretionary Review to the Texas Court of Criminal Appeals was filed on or about September 2024, but was REFUSED for exceeding page count with permission to redraft and resubmit.

Redrawn PDR was submitted Pro Se (having abandoned several grounds of necessity to meet page limit) on November 26, 2024; and Motion for Rehearing En Banc filed April 2, 2025. The PDR was REFUSED REVIEW on the CCA's "shadow docket" on March 12, 2025, and Motion for Rehearing denied on April 17, 2025.

14. Petitioner filed his original Petition For Certiorari with the U.S. Supreme Court (postmarked June 23, 2025), which was received by the Clerk on July 3, 2025.

Said Petition was RETURNED for deficite pleadings by letter from the Clerk dated July 7, 2025, giving Petitioner 60 days to correct the pleadings and resubmit to the Clerk.

15. This Petition is being placed in the Prison Mailbox on the 12th day of September, 2025, for delivery to the U.S. Postal Service.

REASONS FOR GRANTING THE PETITION

1. The Texas Court of Criminal Appeals failed to follow this Court holding that DUE PROCESS under the U.S. CONSTITUTION mandates the States "afford the indigent (Pro Se) Appellant a 'record of sufficient completeness to permit the proper consideration of his claims', " under Mayer v. Chicago, 404 U.S. 189, 194(1971).

Petitioner's Transcript was egregiously altered (in what appears to be an intentional omission of 20-25 minutes of Cross-Exam testimony from the State's Chief and only Witness on guilt/innocence, because the testimony literally showed Petitioner's actual innocence as a matter of fact and law in light of this Court's holding that "mere nudity" does NOT constitute a "lewd exhibition.")

It is in the Public interest that the Constitution's mandated Due Process be upheld, and enforced by this Court; and, that a Trial Official/Officials that alter Official Transcripts to insure innocent Citizens remain in prison must be held accountable. And when the Court of Criminal Appeals marginalized such by simply refusing to even give a Review of this perfidious alteration of the Trial Transcript, it was AGAINST the Public interest in having transparency and accountability, as well as its interest in NOT having corrupt Officials sending Innocent Citizens to prison on falsified persecutory charges.

2. It is in the best interest of uniformity and equality of Law Enforcement and Judicial Process for this Court to resolve an issue of ambiguity and chaos existent in the past 40+ years of Case Law amongst the Federal Appellate Courts AND the States' Appellate Courts on the issue of:

*What CONSTITUTES a "lewd exhibition" to DISTINGUISH it from "mere nudity".

There is and has been NO WORKABLE standard/guideline established by ANY court NOR Legislative body which is amicable to objective, consistently applicable and understandable use by the average Citizen to permit them to know what images are legal to possess and which illegal?

As the Law stands, we have some Courts declaring Image A is a lewd exhibition of a Child's breasts/genitals; while other Courts are declaring the SAME Image A is mere nudity protected by the FIRST AMENDMENT. Parents and Grandparents are being arrested for photographs in their possession declared to be "child porn" by conservative Law Enforcement Personnel/Prosecutors; while pedophiles that possess the EXACT SAME photographs are allowed to go free because less puritanical Officials see the images as "mere nudity."

We The People NEED AND WANT guidance on this matter from our Nation's highest Secular Court!

3. Today's "Far Right Extremist" officials in certain Regions, such as the District from which this Case comes, have come to press Criminal Charges premised on the "lewd exhibition" clause to a literally INSANE degree of overbreadth due to the fact this

Court has NOT reined in the puritainical zealotry being pushed into the secular areana of Criminal Justice where trials are transformed into Ecclisiastical 'witch hunts' aimed at Members of the Naturist Culture/Creationist Naturism Religion.

BOTH Legal Scholars AND many State and Federal Courts' Justices, inclusive of Military Courts, have published opinions which have very clearly rued the overbreadth to which the "lewd exhibition clause" in Child Pornography statutes has come to be applied, and the insane chaos it has created in Case Law.

The Nation and the Citizenry need this Court's guidance to tell The People JUST HOW we "average Citizens" are supposed to KNOW IN ADVANCE which photographs of the Children in OUR Lives will be PERCEIVED as containing a "lewd exhibition" in the eyes of this or that puritainical policeman, prosecutor, judge or juror?

4. Justice and Neccessity behoové this Court instruct the Texas Jurists that, as to Question 3 herein, that it is NOT a valid legal reason to deny compulsory attendance at a criminal Trial simply because the subpeonaed witness does not WANT to be there. If Trial Court Judges are permitted to treat the Courtroom like it is their PERSONAL domaine, and permitted to deny accused Citizens compulsory appearance of witnesses simply because the witnesses don't want to be there, it will render the U.S. CONSTITUTION's "compulsory service/attendance" clause meaningless. The attendance of witnesses, whether Prosecution or Defense, is perhaps THE MOST IMPORTANT part of DUE PROCESS. This issue on Question 3 is of National Importance and extremely important to the Trial process in every State and Federal Courtroom.
5. Review of Question 4 is important, because it bears on how the concepts relevant to a solitary religion's historical morals, which are factually opposite to a Defendant's religious history, very often these days are playing a crucial role in religiously persecutory prosecutions of individuals who belong to the Naturist Culture and Religion.
There are numerous Laws [both Criminal and Civil] which create an Element of the offense out of nudity. The "wrongness" of Public nudity is EXCLUSIVELY rooted in the Judeo-Christian mythology of "Adam and Eve's" downfall from grace in Eden; and, Petitioner has been unable to find ANY OTHER religious/secular origin for a proscription against nudity/doctrine that nudity is "lewd". Ergo, when nudity is adjudicated as "lewd" and criminalized, it is an "establishment" of Judeo-Christian Dogma as Law ... if/when such is applied TO a Christian, it might be legal; but, applied to a Creationism Naturist adherent, it is blatant and unconstitutional religious persecution.
6. Review of QUESTION 7 is something that this Court is the ONLY Court that can properly answer the question.
Technically, question 7 will boil down to the point: can/does the "Batson Rule" [Batson v. Kentucky, 476 U.S. 79(1986)] apply to the purposeful exclusion of Citizens from the defendant's RELIGION/CULTURE in order to create a Jury Pool EXCLUSIVELY made up of member of a Religion and Culture known to be hostile toward the defendant's Religion and Culture; especially when the character/nature of the Evidence depends exclusively on the viewer's PERSPECTIVE inherent to their Religion/culture?

With respect to the Court: from the moment this Case first fell under the attention of the State of Texas, it has been no more and no less than the most egregious travesty of injustice the Petitioner has ever heard of since the Salem Witch Trials. EVERY Rule of Justice and Fairness and DUE PROCESS has been broken in one way or another; and, 424th District Officials have made up their own Rules, and purposefully edited the Trial Transcript to conceal their perfidious and dishonorable acts, not to mention to insure an INNOCENT Citizen remains in Prison SOLELY because he is a member of a micro-minority Culture and non-Christian Religion. To permit this travesty to go unaddressed and unresolved would be to assure Petitioner and THE PEOPLE of America that truly a state of THEOCRATIC FASCISM has replaced American Democracy.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 9/12/2025

With respect to the Court: from the moment this Case first fell under the attention of the State of Texas, it has been no more and no less than the most egregious travesty of injustice the Petitioner has ever heard of since the Salem Witch Trials. EVERY Rule of Justice and Fairness and DUE PROCESS has been broken in one way or another; and, 424th District Officials have made up their own Rules, and purposefully edited the Trial Transcript to conceal their perfidious and dishonorable acts, not to mention to insure an INNOCENT Citizen remains in Prison SOLELY because he is a member of a micro-minority Culture and non-Christian Religion. To permit this travesty to go unaddressed and unresolved would be to assure Petitioner and THE PEOPLE of America that truly a state of THEOCRATIC FASCISM has replaced American Democracy.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 9/12/2025